

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: House Bill No. 45.

Judicial Districts: House Bill No. 46.

SIXTEENTH DAY

(Monday, September 17, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Greathouse.
Adamson.	Griffith.
Aikin.	Hankamer.
Alexander.	Harman.
Alsup.	Harris.
Atchison.	Hartzog.
Baker.	Head.
Barrett.	Hicks.
Barron.	Hill.
Beck.	Hodges.
Bourne.	Holekamp.
Bradley.	Holland.
Burns.	Holloway.
Butler.	Hoskins.
Calvert.	Huddleston.
Camp.	Hughes.
Canon.	Hunt.
Caven.	Hunter.
Celaya.	Hyder.
Chastain.	Jackson.
Clayton.	James.
Colson.	Jefferson.
Coombes.	Johnson
Cowley.	of Anderson.
Crossley.	Jones of Atascosa.
Daniel.	Jones of Runnels.
Davidson.	Jones of Shelby.
Dean.	Kayton.
Devall.	Kyle of Hays.
Dunlap.	Kyle of Palo Pinto.
Dunagan.	Laird.
Duvall.	Lange.
Dwyer.	Latham.
Engelhard.	Lemens.
Fain.	Leonard.
Fisher.	Lindsey.
Ford.	Long.
Fuchs.	Mackay.
Glass.	Magee.
Golson.	Mathis.
Good.	McCullough.
Goodman.	McGregor.
Graves.	McKee.

Merritt.	Rollins.
Metcalfe.	Russell.
Mitcham.	Savage.
Moffett.	Scarborough.
Moore.	Scott.
Morrison.	Shannon.
Morse.	Smith.
Munson.	Stanfield.
Nicholson.	Steward.
Palmer.	Stinson.
Parkhouse.	Stovall.
Patterson.	Stubbeman.
Pavlica.	Tarwater.
Pope.	Tennyson.
Puryear.	Thomas.
Ramsey.	Tillery.
Ratliff.	Townsend.
Ray.	Van Zandt.
Reader.	Vaughan.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Walker.
Renfro.	Weinert.
Riddle.	Wells.
Roark.	Winningham.
Roberts.	Wood.
Rogers of Hunt.	Young.
Rogers of Ochiltree.	

Absent

Anderson.	Cathey.
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Absent—Excused

Bedford.	Lotief.
Bergman.	McDougald.
Harrison.	Shults.
Hester.	Turlington.
Johnson	
of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Lotief for today, on motion of Mr. Fuchs.

Mr. Bedford for today and tomorrow, on motion of Mr. Tennyson.

Mr. McDougald for today and tomorrow, on motion of Mr. Hankamer.

Mr. Colson and Mr. Harrison for today, on motion of Mr. Barron.

Mr. Bergman for today, on motion of Mr. Canon.

Mr. Hester for today and the balance of the week, on motion of Mr. Hyder.

Mr. Turlington for today, on motion of Mr. Latham.

Mr. Shults for today, on motion of Mr. Puryear.

The following Member was granted leave of absence on account of illness:

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

BILL ORDERED NOT PRINTED

On motion of Mr. Jefferson, House Bill No. 56 was ordered not printed.

REQUESTING COMMISSIONER OF AGRICULTURE TO MAKE CERTAIN INVESTIGATION

Mr. Celaya offered the following resolution:

H. C. R. No. 14, Requesting Commissioner of Agriculture to make certain investigation.

Whereas, The Tariff Commission of the United States has fixed a tariff of three cents (3¢) per pound on tomatoes imported into the United States of America; and

Whereas, Many tomatoes grown in Mexico are of the same kind and quality as those grown in Texas, and are transported by rail into the United States to the same markets as those grown in Texas; and

Whereas, While the selling price of tomatoes grown by the farmers of Texas was two and one-half cents per pound, or one-half cent per pound less than the tariff on Mexico-grown tomatoes, Mexico, nevertheless, continued to raise, ship and sell tomatoes with the tariff handicap to the same markets to which goes Texas-grown tomatoes without the tariff handicap; and

Whereas, The farmers of Texas are subjected to an unfair treatment, either because of the lower purchaser's price, or the lower freight rate, or the import duty. Whether this discrimination is a matter of shortage in price, or rebate in freight rate, or failure to impose the import duty, or the absorbing of the import duty by the carrier or the purchaser, such discrimination against the Texas farmer should be investigated and corrected; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Commissioner of Agricul-

ture of the State of Texas be, and is hereby, directed to make a careful investigation of the matters referred to in this resolution to the end that the discrimination may be discontinued and the farmers of Texas be permitted to sell their tomatoes in a fair market without discrimination by reason of the payment of rebates by the carriers or the failure to collect import duties; and that if the Commissioner of Agriculture of the State of Texas secures the information that the carrier transporting such tomatoes or part thereof into or through the United States is guilty of giving freight rebates, directly or indirectly, that such facts be made known to the Attorney General of the State of Texas and that the Attorney General of the State of Texas be, and is hereby, directed to instigate prosecution against such carriers as are guilty of giving any such rebates.

CELAYA,
POPE.

The resolution was read second time, and was adopted.

RELATIVE TO BANKHEAD COTTON BILL

Mr. McGregor offered for consideration, at this time,

Resolution requesting and urging the Attorney General of the United States to institute proceedings in a court of competent jurisdiction to invalidate the Bankhead Cotton Bill;

The resolution having been printed in the House Journal of last Thursday, September 13.

The resolution was read second time.

(Mr. Moore in the Chair.)

Mr. Reed of Bowie and Mr. Fain moved that the resolution be referred to the Committee on Agriculture.

Mr. Alsup raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Kyle of Hays moved that the House Rule, relative to the time allotted for the consideration of resolutions, be suspended at this time, for the purpose of further considering the resolution.

The motion prevailed.

Question recurring on the motion to refer the resolution to the Committee on Agriculture, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Latham.
Atchison.	Lemens.
Barrett.	Leonard.
Beck.	Lindsey.
Bergman.	Mackay.
Bourne.	Magee.
Bradley.	McCullough.
Calvert.	McKee.
Camp.	Metcalf.
Canon.	Mitcham.
Caven.	Moffett.
Chastain.	Morrison.
Clayton.	Morse.
Daniel.	Munson.
Davidson.	Nicholson.
Dean.	Palmer.
Dunlap.	Pavlica.
Dwyer.	Pope.
Engelhard.	Puryear.
Fain.	Ratliff.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Goodman.	Roark.
Graves.	Roberts.
Greathouse.	Rogers of Hunt.
Hankamer.	Rogers
Harman.	of Ochiltree.
Harris.	Rollins.
Head.	Russell.
Hodges.	Shannon.
Hoekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Stubbeman.
Hunt.	Tarwater.
Hunter.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jefferson.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Wells.
Kayton.	Wood.

Nays—23

Baker. Burns.

Butler.	Mathis.
Celaya.	McGregor.
Coombes.	Merritt.
Crossley.	Parkhouse.
Devall.	Patterson.
Dunagan.	Ramsey.
Fisher.	Scarborough.
Griffith.	Scott.
Hicks.	Winningham.
Hill.	Young.
Long.	

Absent

Anderson.	Hartzog.
Barron.	Holloway.
Cathey.	Lange.
Colson.	Ray.
Cowley.	Savage.
Duvall.	Smith.

Absent—Excused

Bedford.	Lotief.
Harrison.	McDougald.
Hester.	Shults.
Johnson	Turlington.
of Dimmit.	

MESSAGES FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,

Austin, Texas, September 17, 1934.

To the Forty-third Legislature in Third Called Session:

Upon request of Representatives Duvall, Greathouse, Patterson, Shannon and Renfro, I submit for your consideration the attached bill to be entitled "An Act to provide a more adequate manner of compensating county judges in counties which have a population of not less than 195,000 and not more than 200,000, according to the 1930 United States Census, and providing for the employment of a stenographer and other help for such judges, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

Executive Office,

Austin, Texas, September 17, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representatives Hank-

amer, Clayton and Jackson, and Senators Duggan, Reagan and Stone, I submit for your consideration the attached bill to be entitled "An Act amending Section 3, of Chapter 67, Acts of the First Called Session of the Forty-third Legislature, same being Senate Bill No. 52, and as amended by Chapter 29, Acts of the Second Called Session of the Forty-third Legislature, same being House Bill No. 79, so as to provide the method of prorating the funds provided in said chapter, fixing date for filing claims under said appropriation; etc., and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in Third Called Session:

At the request of Senator A. P. Duggan, I submit for your consideration the attached bill to be entitled "An Act to declare a closed season on the killing of blue quail, bobwhites, and doves in Terry County for a period of five years, prescribing a penalty therefor, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 15, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representatives Moore, Morse, Bradley, Mathis, Holland, and Senator Woodul, I submit for your consideration a bill hereto attached to be entitled "An Act to amend Section 2, Chapter 8, of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session, as amended by Senate Bill No. 143, Section 2, Chapter 24, of the General Laws of the Forty-first Legislature, passed at its Regular Session in 1929; also providing for an official court reporter of the County Court at Law No. 2 of Harris County, Texas, fixing the duties and compensation of said reporter, conferring civil as well as criminal jurisdiction upon said court, providing for filing and docketing and

transferring causes, and fixing effective date."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 15, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representatives Davidson, Hodges, Harman and Ford, I submit for your consideration the attached bill to be entitled "An Act making it unlawful to kill wild fox, or take or have in one's possession for barter or sale, the pelts of wild fox, in certain counties, providing a penalty for violation of this Act, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 15, 1934.

To the Forty-third Legislature in Third Called Session:

By request, I submit for your consideration the attached bill to be entitled "An Act defining 'oleomargarine' and other terms used in this Act; imposing a tax of ten cents per pound on certain oleomargarine, prescribing the method for collecting said tax; etc., and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, September 17, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 1, A bill to be entitled "An Act providing for the issuance of State relief bonds to be designated as Texas Relief Bonds, Third Series, in the sum of nine million five hundred thousand dollars (\$9,500,000) under Section 51-a, Article III, of the Constitution of the State of Texas; providing for the sources of revenue from which said bonds shall be paid

and their denominations, date maturities, maximum interest rate, and date of payment of interest, place of payment, exempting same from taxation; providing that said bonds shall be eligible to secure deposits of the State of Texas, that said bonds shall be eligible to secure deposits of the State of Texas, counties, cities, or political subdivisions thereof and public corporations thereof; providing for their approval by the Attorney General, signing by the Governor, attesting by the Secretary of State, and registering by the Comptroller and Treasurer; prescribing the procedure for the sale of the bonds and the disposition of the proceeds thereof; prohibiting borrowing in anticipation of future issuance of bonds; etc., and declaring an emergency." (With amendment.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Morrison:

H. B. No. 58, A bill to be entitled "An Act relating to any city which has not less than 8,700 nor more than 8,800 inhabitants, as shown by the Federal Census last preceding the action herein authorized; providing that the governing body of any such city, in making up the annual appropriation of the income and revenue of any waterworks system, electric light plant or system, sewer system, or any other public utility system, service or enterprise, now or hereafter owned and operated by any such city, shall first provide for maintenance and operating expenses of such system, service or enterprise, shall then provide for payment of principal and interest of any indebtedness outstanding against such system, service or enterprise, and may then make such appropriations as remaining income and revenue of such system, service or enterprise may justify; etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Harman:

H. B. No. 59, A bill to be entitled "An Act amending House Bill No. 166, Chapter 215, Section 3, Subsection 18, page 722, Acts of the Regular Session of the Forty-third Legislature, by adding another paragraph at the end of said subsection authorizing certain State institutions to supplement salaries, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Lemens:

H. B. No. 60, A bill to be entitled "An Act amending Chapter 101, of the Special Laws of the Regular Session of the Forty-third Legislature, as amended by Chapter 54 of the General and Special Laws of the First Called Session of the Forty-third Legislature, prohibiting the taking, killing or possession of wild fox for the purpose of barter or sale, and prohibiting the use of steel traps for taking fur-bearing animals in certain counties, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hoskins and Mr. McKee:

H. B. No. 61, A bill to be entitled "An Act authorizing the State Highway Commission, as defined herein, to construct toll bridges and approaches thereto on State highway with funds procured from the United States Government, its agencies and instrumentalities, through loans and grants, either or both, to operate and maintain said bridges and in reference to each such bridge to issue and to deliver to the United States Government, its agencies and instrumentalities, interest-bearing securities, bearing four per cent (4%) interest, with provisions for registration as to ownership, maturing serially, the maturity of the final installment being within forty (40) years from their date, payable solely from tolls charged for the use of such bridge with the proviso that they shall not constitute a debt of the State of Texas nor of the Highway Department, but shall be special obligations secured by a first lien and pledge of and on the gross revenues received as tolls for the use of said bridge, prescribing the duties of the Highway Commission in reference to the execution, issuance and delivery of

said securities; etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

RECESS

On motion of Mr. Kayton, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

INTRODUCTION OF NOMINEES FOR FORTY-FOURTH LEGISLATURE

Speaker Stevenson introduced the following Democratic nominees for the Forty-fourth Legislature, who addressed the House:

Hon. R. C. Lanning of Young County.

Hon. George Newton of Milam County.

Hon. Ross Hardin of Limestone County.

Hon. Tom Dunlap of Hays County.

Hon. J. H. Waggoner of Grayson County.

MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following messages from the Governor:

Executive Office,

Austin, Texas, September 17, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Senator Duggan, I submit for your consideration the attached bill being: "An Act validating, ratifying, and approving ordinances of all Home Rule Cities in this State having a population of more than twenty thousand (20,000) and less than twenty-one thousand (21,000) inhabitants, according to the last preceding Federal Census; relinquishing, discontinuing, and segregating territory in the corporate limits of said Home Rule Cities."

By request of Representatives Leonard, Celaya, Glass, Young, and others, I submit for your consideration the attached bill being: "An Act to provide that cities with a popula-

tion of more than nine thousand and seventy (9,070) and less than nine thousand and eighty (9,080) inhabitants, according to the last preceding Federal Census, may mortgage and encumber their abattoirs and the income thereof, for the purpose of constructing, acquiring, or improving the same; etc., and declaring an emergency."

By request, I submit for your consideration the attached bill being: "An Act to amend Chapter 95 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature, approved March 19, 1925, creating the Commission in Aid of the Court of Criminal Appeals of Texas, as amended; etc., and declaring an emergency."

By request of the Railroad Commission, I submit for your consideration the attached bill being: "An Act further prescribing the powers and duties of the Railroad Commission of Texas in respect to the conservation of oil and gas, and the regulation of the production, storage, transportation, sale, and handling thereof; amending Section 14 of Chapter 26 of the Acts of the First Called Session of the Forty-second Legislature; prohibiting the purchase, transportation, sale, or handling of crude petroleum oil or natural gas produced in violation of any statute or any rule; etc., and declaring an emergency."

By request of Representative Merritt, I submit for your consideration the attached bill being: "An Act relating to the duties of the county board of trustees of public schools of this State, in all counties having an area of not more than 900 square miles and not less than 875 square miles and a population of not less than 8,500 and not more than 8,650 inhabitants, according to the last preceding Federal Census, authorizing them to condemn land for school purposes; etc., and declaring an emergency."

By request of Representative John Laird, I submit for your consideration the attached bill being: "An Act providing for an open season on squirrels in Tyler County, providing a penalty, and declaring an emergency."

By request of Representatives Reader and Kayton, I submit for your consideration the attached bill being: "An Act making appropriation for the continuation of malaria control by the

State Board of Health, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in
Third Called Session:

At the request of Senators Stone, Sanderford, Poage, and others, I submit for your consideration the attached bill to be entitled "An Act to aid the Brazos River Conservation and Reclamation District in preparing the necessary plans, specifications and data and in making the necessary surveys, and in acquiring the necessary lands, leases, easements and/or acquittances, and in building or having built and/or co-operating in the building of proper structures, reservoirs and levees suitable for the control, in so far as practicable, of the flood waters of the Brazos River watershed, declared to be a public calamity, and declaring an emergency."

At the request of Representative Hartzog, I submit for your consideration the attached bill being "An Act authorizing cities and towns with a population of more than one thousand and located on the coast of Texas or any bay, gulf or inlet and in which commercial fishing and shrimping is an established industry to build or purchase municipal fish markets, and declaring an emergency."

By the request of the Commissioner of the General Land Office of Texas, I submit herewith for your consideration a bill to be entitled "An Act to extend the time for the payment of notes or obligations executed prior to November 1, 1901, by purchasers of school land for the unpaid balance of principal due the State thereon, such extensions to be for a period of ten years from and after the passage of this Act, and declaring an emergency."

By request of Representative Gordon Burns, I submit for your consideration the attached bill, being "An Act making it a penal offense for any officer or employe of the Texas Prison System, or any other person, to instigate, connive, attempt to cause, assist in or conspire with others to cause any mutiny or riot, or in any

manner aid in the escape of any prisoner from the Texas penitentiary, from any prison farm, or from any prison transfer truck, or who in any manner, either directly or indirectly, furnishes aid to or harbors and conceals any prisoner who has escaped from such penitentiary, prison farm, or prison transfer truck; providing the penalty and punishment therefor, and declaring an emergency."

At the request of Honorable George H. Sheppard, Comptroller of Public Accounts, I submit for your consideration the attached bill, being "An Act amending Sections 1, 4, 6, and 8, of Chapter 162, House Bill No. 154, Acts of the Regular Session of the Forty-third Legislature, and Sections 2, 3, 5 and 9, of Chapter 162, House Bill No. 154, as amended by Chapter 12, House Bill No. 55, Acts of the First Called Session of the Forty-third Legislature, defining certain words and terms; providing for a levy of occupation tax on oil produced; providing for credit for taxes paid by mistake; providing that tax levied shall be a liability on producer, first purchaser and subsequent purchaser; providing that first purchaser shall pay tax levied; providing that failure of first purchaser to pay tax does not relieve others liable for the tax; providing for payment of tax on oil produced but not sold; etc., and declaring an emergency."

By request of Representatives Caven and Holloway, I submit for your consideration the attached bill, being "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 48,600 and not more than 49,000, according to the last Federal Census, and declaring an emergency."

By request of Senator J. W. E. H. Beck, I submit for your consideration the attached bill, being "An Act to prohibit the sale of barbituric acid or derivatives and compounds thereof under any copyrighted or chemical names except to wholesale drug houses, chemical houses and dispensing pharmacies or practicing physicians; providing that the same may not be dispensed except by a practicing physician or retail pharmacy on prescriptions written by a legally qualified practicing physician; providing certain rules and regulations; prescribing a penalty for the

violation of this Act, and declaring an emergency."

At the request of Representatives Bradley, Holland, Morse, Mathis, and Moore, I submit for your consideration the attached bill, being "An Act amending Chapter 19, House Bill No. 88, Acts of the Second Called Session of the Forty-third Legislature, declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors and processors of milk and milk products, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Duvall, Mr. Greathouse, Mr. Patterson, Mr. Shannon, and Mr. Renfro:

H. B. No. 62, A bill to be entitled "An Act to provide a more adequate manner of compensating county judges in counties which have a population of not less than 195,000 and not more than 200,000, according to the 1930 United States Census, and providing for the employment of a stenographer and other help for such judges, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Hankamer, Mr. Clayton, and Mr. Jackson.

H. B. No. 63, A bill to be entitled "An Act amending Section 3, of Chapter 67, Acts of the First Called Session of the Forty-third Legislature, same being Senate Bill No. 52, and as amended by Chapter 29, Acts of the Second Called Session of the Forty-third Legislature, same being House Bill No. 79, so as to provide the method of pro-rating the funds provided in said Chapter, fixing date for filing claims under said appropriation, providing that claims arising thereunder shall not be negotiable or assignable; etc., and declaring an emergency."

Referred to Committee on Claims and Accounts.

By Mr. Thomas:

H. B. No. 64, A bill to be entitled "An Act to declare a closed season on the killing of blue quail, bob-whites, and doves, in Terry County for a period of five years, prescribing a penalty therefor, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Davidson, Mr. Hodges, Mr. Ford, and Mr. Harman:

H. B. No. 65, A bill to be entitled "An Act making it unlawful to kill wild fox, or to take or have in one's possession for barter or sale the pelts of wild fox in certain counties, providing a penalty for violation of this act; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Kayton:

H. B. No. 66, A bill to be entitled "An Act making an emergency appropriation of money for the board of county and district road indebtedness; providing the purposes thereof, the means and manner of expenditure thereof, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Hartzog:

H. B. No. 67, A bill to be entitled "An Act authorizing cities and towns with a population of more than one thousand and located on the coast of Texas, or any bay, gulf or inlet, and in which commercial fishing and shrimping is an established industry, to build or purchase municipal fish markets, and to borrow money and accept grants for such purpose from the Federal Government or any of its agencies, or to borrow money from any other sources and to issue revenue bonds or warrants therefor and secure the payment of the same by mortgaging the physical property so acquired and the net revenues therefrom, and providing that such cities may stipulate with the lender that a purchaser at sale or foreclosure shall have a permit to operate the same in accordance with the laws then in effect regulating such industries; and providing that such markets may be improved, repaired

or extended; and providing that the provisions of Article 2368-a, Revised Civil Statutes of Texas, with reference to notice, the right of referendum and competitive bidding shall be applicable to all projects financed under this Act; and providing that the revenue warrants or bonds issued hereunder shall have stamped or written thereon that the holder thereof never shall be entitled to demand the payment of such bonds or warrants out of any funds raised or or be raised by taxation, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Leonard:

H. B. No. 68, A bill to be entitled "An Act to provide that cities with a population of more than nine thousand seventy (9,070) and less than nine thousand and eighty (9,080) inhabitants, according to the last preceding Federal Census, may mortgage and encumber their abattoirs and the income thereof for the purpose of constructing, acquiring or improving the same; providing for manner of issuance of notes or warrants for such purposes, and providing that this law shall take precedence over conflicting charter provisions; repealing all laws in conflict herewith; providing a saving clause, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Thomas:

H. B. No. 69, A bill to be entitled "An Act validating, ratifying and approving ordinances of all home rule cities in this State having a population of more than twenty thousand (20,000) and less than twenty-one thousand (21,000) inhabitants, according to the last preceding Federal Census, relinquishing, discontinuing, and segregating territory in the corporate limits of said home rule cities."

Referred to Committee on State Affairs.

By Mr. Burns:

H. B. No. 70, A bill to be entitled "An Act making it a penal offense for any officer or employe of the Texas Prison System, or any other person, to instigate, connive, attempt to cause, assist in or conspire with others to cause any mutiny, or riot,

or in any manner aid in the escape of any prisoner from the Texas penitentiary, from any prison farm, etc., and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Long and Mr. Tennyson:

H. B. No. 71, A bill to be entitled "An Act amending Sections 1, 4, 6, and 8, of Chapter 162, House Bill No. 154, Acts of the Regular Session of the Forty-third Legislature, and Sections 2, 3, 5, and 9, of Chapter 162, House Bill No. 154, as amended by Chapter 12, House Bill No. 55, Acts of the First Called Session of the Forty-third Legislature, defining certain words and terms; providing for a levy of occupation tax on oil produced; providing for credit for taxes paid by mistake; providing that tax levies shall be a liability on producer, first purchaser and subsequent purchasers; etc., and declaring an emergency."

Referred to Committee on Oil, Gas and Mining.

By Mr. Caven and Mr. Holloway:

H. B. No. 72, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 48,600 and not more than 49,000, according to the last Federal Census, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Moore:

H. B. No. 73, A bill to be entitled "An Act to amend Chapter 95 of the General Laws of the State of Texas passed by the Regular Session of the Thirty-ninth Legislature, approved March 19, 1925, creating the Commission in Aid of the Court of Criminal Appeals of Texas, as amended by Chapter 40 of the General Laws of the State of Texas; etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Long and Mr. Tennyson:

H. B. No. 74, A bill to be entitled "An Act further prescribing the powers and duties of the Railroad Commission of Texas in respect to the conservation of oil and gas and the regulation of the production, storage, transportation, sale and handling thereof; amending Section 14, of Chapter 26, of the Acts of the First Called Session of the Forty-second

Legislature; prohibiting the purchase, transportation, sale or handling of crude petroleum oil or natural gas produced in violation of any statute or any rule, regulation or order of the Railroad Commission; etc., and declaring an emergency."

Referred to Committee on Oil, Gas and Mining.

By Mr. Merritt:

H. B. No. 75, A bill to be entitled "An Act relating to the duties of the county board of trustees of public schools of this State, in all counties having an area of not more than 900 square miles and not less than 875 square miles and a population of not less than 8,500 and not more than 8,650 inhabitants, according to the last preceding Federal Census, authorizing them to condemn land for school purposes; to subdivide their respective counties into convenient school districts; to increase or reduce the area of independent and common school districts; create additional districts; consolidate two or more adjacent districts; subdivide any districts; revise or rearrange the boundaries of any district; and declaring an emergency."

Referred to Committee on Education.

By Mr. Roberts:

H. B. No. 76, A bill to be entitled "An Act fixing the compensation for county commissioners in certain counties, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Kyle of Palo Pinto:

H. B. No. 77, A bill to be entitled "An Act granting W. J. Harris, of Mineral Wells, Palo Pinto County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Travis County, Texas, for damages to automobiles and injuries to W. J. Harris; etc., and declaring an emergency."

Referred to Committee on State Affairs.

BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Leonard, House Bill No. 68 was ordered not printed.

On motion of Mr. Morrison, House Bill No. 58 was ordered not printed.

On motion of Mr. Mathis, House Bill No. 50 was ordered not printed.

RELATIVE TO ILLEGAL FLOW OF OIL IN EAST TEXAS

On motion of Mr. Scarborough, the following resolution was ordered printed in the Journal:

Whereas, during the preceding year approximately 2500 complaints have been made to proration law violations in connection with the running of illegal oil in the East Texas oil fields and only about 100 cases have been prosecuted by our enforcement agencies as a result of these complaints, and

Whereas, It is a matter of common knowledge that there is a continuous, wholesale, and flagrant violation of all oil proration laws in the East Texas fields, which constitutes a constant and continual menace to the entire oil industry and which will eventually lead to Federal control of the oil industry if such situation is not remedied, and

Whereas, It has been represented that the prosecuting officials of Gregg and other counties are either refusing or failing to prosecute offenders under existing Criminal Statutes and are countenancing the most flagrant character of violations daily, and

Whereas, An imperative necessity exists that this deplorable situation be thoroughly investigated with a view of the enactment of proper legislation on the part of the State to investigate and expose the offenders, as well as develop the true facts situation that exists, and

Whereas, It is believed on good authority, that as much as 100,000,000 barrels of hot or illegal oil has been produced in the East Texas area since the passage of the State proration laws, which indicates a total breakdown of enforcement agencies in the East Texas fields, and

Whereas, As a result of the production of vast quantities of illegal oil in the East Texas fields, it has and is affecting the quotas of all the fields in the entire state; now, therefore, be it

Resolved by the House of Representatives:

1. That there is hereby created a committee to be known as the legislative oil investigating committee, whose duty it shall be to investigate thoroughly all violations or infractions of existing oil conservation and proration laws and inquire into the enforcement and administration thereof.

2. That said committee shall consist of five members, to be appointed by the Speaker from the membership of the House, and the Speaker is hereby authorized to fill any vacancies that may occur for any reason on said committee.

3. Said committee shall meet at Austin within five days after the adjournment of this Extraordinary Session of the Legislature, and shall organize by electing one of its members chairman, another vice-chairman, and another secretary, and such other officers as may be necessary, and shall at said meetings determine upon and fix a place and a date for its next business meeting and for the holding of hearings, etc.

The committee shall adopt such rules and regulations as are necessary to carry out the provisions and intent of this resolution. The committee shall be provided with a committee room in the Capitol at Austin, and all sessions shall be open to the public, except at such times as the committee may, by majority vote, determine to hold an executive session.

The committee shall begin its work not later than its second meeting, and shall continue its sessions and investigations as may be determined by a majority vote of the committee until its work has been completed; but it shall conclude its investigations and make a report to the Legislature as soon as it is practicable; providing, however, its report shall be made not later than the end of the second week of the Regular Session of the Forty-fourth Legislature. The committee's report shall be accompanied by appropriate proposed bills for introduction in the Legislature in instances where specific legislation is recommended, and where such action is practicable.

The committee shall have further authority to require from all persons, firms, and corporations in this State such information as it may desire with reference to violation of oil conservation and proration laws.

The committee shall have the power to issue such process, including subpoenas and subpoenas duces tecum, which may be necessary to compel the attendance of witnesses, or produce all books, records, or other information that may be desired by it in the proper discharge of its duties. It shall also have all powers to punish for contempt as are possessed by the

district courts of this State, and shall have all other powers possessed by the district courts of the State in compelling the attendance of witnesses, production of records and the enforcement of its processes.

The committee shall have full power and authority to employ and compensate all necessary investigators, stenographers, and other clerical help, and it shall be the duty of such committee to make and keep a record of its investigations, and all funds expended by it and to whom paid, and the amounts thereof. It shall not be the duty of said committee, however, to keep a stenographic report of all information or investigations made by it, but it shall have the authority to keep such records as it deems advisable, and each member of said committee shall have the power to administer oaths or affirmations and to swear witnesses.

The members of the committee shall receive no compensation for the performance of their services as members of the committee, but they shall receive, during the time they actually serve, their traveling expenses, including hotel, telegraph, telephone, postage, and other express expenses necessarily incurred in the discharge of their duties.

The committee shall be authorized and empowered to purchase such stationery and other supplies as may be necessary in the discharge of their duties.

All witnesses summoned shall be allowed reasonable pay for traveling expenses, which the committee shall fix and allow, and the committee shall have full power to make such personal investigation as it may desire in regard to conditions prevailing in the East Texas oil fields.

All expenses of the committee shall be paid out of the Contingent Fund of the House of the Forty-third Legislature, including the expense of the publication of copies of the committee report and the distribution of same to the Members of the Legislature.

The committee shall have full power and authority to institute quo warranto or other proceedings for the removal of any State or county official charged with the duty of enforcing oil conservation and proration laws, in the event said committee is of the opinion that any such official is failing or refusing to properly prosecute violators of such laws.

Provided, further, that all expenditures of such committee shall be made upon the sworn accounts of the persons entitled to such pay, and approved by the chairman or vice-chairman and secretary of the committee. The secretary shall file with the State Comptroller of Public Accounts a statement showing in detail all expenditures made by such committee and the amounts and to whom all payments were made.

SCARBOROUGH,
MORSE,
PALMER,
DWYER.

LEAVE OF ABSENCE GRANTED (By Unanimous Consent)

Mr. Head was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Ford.

RELATIVE TO TAXATION ON MARINE PRODUCTS

The Speaker laid before the House, for consideration at this time,

Resolution by Mr. Jefferson, Mr. Hartzog, and others, Relative to taxation on marine products;

The resolution having been read second time on August 31, and referred to the Committee on Game and Fisheries.

The Committee on Game and Fisheries having recommended the passage of the resolution.

(Mr. Daniel in the Chair.)

Mr. Reed of Bowie offered the following amendment to the resolution:
Amend House Simple Resolution No. 12 by striking out lines 26, 27, 28, 29, 30, and 31.

Mr. Jefferson moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—49

Alexander.	Duvall.
Atchison.	Engelhard.
Baker.	Fuchs.
Barrett.	Golson.
Barron.	Good.
Colson.	Hankamer.
Coombes.	Hill.
Davidson.	Hodges.
Devall.	Holekamp.
Dunlap.	Holloway.

Hoskins.	Morse.
Hughes.	Nicholson.
Hunt.	Palmer.
Hyder.	Parkhouse.
James.	Pavlica.
Jefferson.	Pope.
Kayton.	Reader.
Kyle of Hays.	Rollins.
Kyle of Palo Pinto.	Scarborough.
Long.	Shannon.
Mackay.	Smith.
Mathis.	Stanfield.
McCullough.	Weinert.
McKee.	Young.
Moore.	

Nays—59

Adamson.	Metcalfe.
Aikin.	Mitcham.
Alsup.	Moffett.
Beck.	Morrison.
Bourne.	Munson.
Bradley.	Puryear.
Burns.	Ratliff.
Calvert.	Ray.
Canon.	Reed of Bowie.
Chastain.	Reed of Dallas.
Cowley.	Renfro.
Dean.	Riddle.
Dunagan.	Roark.
Fain.	Rogers of Hunt.
Fisher.	Russell.
Ford.	Savage.
Glass.	Scott.
Goodman.	Steward.
Graves.	Stovall.
Harris.	Stubbeman.
Holland.	Tennyson.
Huddleston.	Thomas.
Hunter.	Tillery.
Jackson.	Townsend.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Laird.	Walker.
Lindsey.	Wells.
Magee.	Winningham.
Merritt.	

Present—Not Voting

Jones of Atascosa. Daniel.

Absent

Anderson.	Johnson
Butler.	of Anderson.
Camp.	Lange.
Cathey.	Latham.
Caven.	Lemens.
Celaya.	Leonard.
Clayton.	McGregor.
Crossley.	Patterson.
Dwyer.	Ramsey.
Greathouse.	Roberts.
Griffith.	Rogers of Ochiltree.
Harman.	Stinson.
Hartzog.	Tarwater.
Hicks.	Van Zandt.
	Wood.

Absent—Excused

Bedford.	Johnson
Bergman.	of Dimmit.
Harrison.	Lotief.
Head.	McDougald.
Hester.	Shults.
	Turlington.

Question then recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—56

Adamson.	Merritt.
Aikin.	Metcalf.
Alsup.	Mitcham.
Beck.	Moffett.
Bourne.	Morrison.
Burns.	Pavlica.
Butler.	Puryear.
Calvert.	Ratliff.
Camp.	Ray.
Chastain.	Reed of Bowie.
Daniel.	Renfro.
Dean.	Riddle.
Fain.	Roark.
Fisher.	Russell.
Ford.	Savage.
Goodman.	Scott.
Graves.	Steward.
Hankamer.	Stovall.
Harris.	Stubbeman.
Hicks.	Tennyson.
Hunt.	Thomas.
Jackson.	Tillery.
Jones of Runnels.	Townsend.
Jones of Shelby.	Vaughan.
Laird.	Wagstaff.
Latham.	Walker.
Lindsey.	Wells.
Magee.	Winningham.

Nays—51

Alexander.	Holekamp.
Baker.	Holloway.
Barrett.	Hoskins.
Barron.	Hughes.
Bradley.	Hyder.
Canon.	James.
Coombes.	Jefferson.
Cowley.	Kyle of Hays.
Devall.	Kyle of Palo Pinto.
Dunlap.	Lange.
Dunagan.	Long.
Duvall.	Mackay.
Engelhard.	Mathis.
Fuchs.	McCullough.
Glass.	McKee.
Golson.	Moore.
Good.	Morse.
Hartzog.	Parkhouse.
Hill.	Pope.
Hodges.	Reader.

Reed of Dallas.	Scarborough.
Roberts.	Shannon.
Rogers of Hunt.	Smith.
Rogers	Stanfield.
of Ochiltree.	Weinert.
Rollins.	Young.

Present—Not Voting

Davidson.	Jones of Atascosa.
Hunter.	

Absent

Anderson.	Johnson
Atchison.	of Anderson.
Cathey.	Kayton.
Caven.	Lemens.
Celaya.	Leonard.
Clayton.	McGregor.
Colson.	Munson.
Crossley.	Nicholson.
Dwyer.	Palmer.
Greathouse.	Patterson.
Griffith.	Ramsey.
Harman.	Stinson.
Holland.	Tarwater.
Huddleston.	Van Zandt.
	Wood.

Absent—Excused

Bedford.	Johnson
Bergman.	of Dimmit.
Harrison.	Lotief.
Head.	McDougald.
Hester.	Shults.
	Turlington.

Mr. Metcalfe moved to reconsider the vote by which the amendment was adopted.

Mr. Reed of Bowie moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—56

Adamson.	Glass.
Aikin.	Goodman.
Alsup.	Graves.
Beck.	Greathouse.
Bourne.	Harris.
Butler.	Hicks.
Calvert.	Huddleston.
Camp.	Hunt.
Caven.	Jackson.
Chastain.	Jones of Runnels.
Clayton.	Jones of Shelby.
Cowley.	Kyle of Hays.
Dean.	Lindsey.
Fain.	Magee.
Fisher.	McCullough.
Ford.	Mitcham.

Morrison.	Steward.
Pavlica.	Stinson.
Puryear.	Stovall.
Ratliff.	Stubbeman.
Ray.	Tarwater.
Reed of Bowie.	Tillery.
Renfro.	Townsend.
Roark.	Van Zandt.
Rollins.	Vaughan.
Russell.	Walker.
Savage.	Wells.
Scott.	Winningham.

Nays—56

Alexander.	Laird.
Baker.	Lange.
Barrett.	Leonard.
Barron.	Long.
Burns.	Mackay.
Canon.	Mathis.
Coombes.	McKee.
Davidson.	Merritt.
Devall.	Metcalf.
Dunlap.	Moore.
Dunagan.	Morse.
Duvall.	Palmer.
Engelhard.	Parkhouse.
Fuchs.	Pope.
Golson.	Reader.
Good.	Reed of Dallas.
Hankamer.	Roberts.
Hartzog.	Rogers of Hunt.
Hill.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Scarborough.
Holland.	Shannon.
Holloway.	Smith.
Hoskins.	Stanfield.
Hunter.	Thomas.
Hyder.	Wagstaff.
Jefferson.	Weinert.
Jones of Atascosa.	Young.
Kyle of Palo Pinto.	

Absent

Anderson.	Johnson
Atchison.	of Anderson.
Bradley.	Kayton.
Cathey.	Latham.
Celaya.	Lemens.
Colson.	McGregor.
Crossley.	Moffett.
Daniel.	Munson.
Dwyer.	Nicholson.
Griffith.	Patterson.
Harman.	Ramsey.
Hughes.	Riddle.
James.	Tennyson.
	Wood.

Absent—Excused

Bedford.	Johnson
Bergman.	of Dimmit.
Harrison.	Lotief.
Head.	McDougald.
Hester.	Shults.
	Turlington.

Question next recurring on the motion to reconsider, it prevailed by the following vote:

Yeas—58

Alexander.	Kayton.
Baker.	Kyle of Palo Pinto.
Barrett.	Lange.
Barron.	Leonard.
Bradley.	Long.
Canon.	Mackay.
Coombes.	Mathis.
Cowley.	McKee.
Daniel.	Merritt.
Davidson.	Moffett.
Devall.	Moore.
Dunlap.	Morse.
Dunagan.	Palmer.
Duvall.	Parkhouse.
Engelhard.	Patterson.
Fuchs.	Pope.
Golson.	Reader.
Good.	Reed of Dallas.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Hankamer.	Rogers
Hartzog.	of Ochiltree.
Hill.	Scarborough.
Hodges.	Shannon.
Holekamp.	Smith.
Holland.	Stanfield.
Holloway.	Wagstaff.
Hoskins.	Weinert.
Hyder.	Young.
Jefferson.	

Nays—53

Adamson.	Mitcham.
Aikin.	Morrison.
Alsup.	Pavlica.
Beck.	Puryear.
Bourne.	Ratliff.
Butler.	Ray.
Calvert.	Reed of Bowie.
Camp.	Renfro.
Caven.	Riddle.
Chastain.	Roark.
Dean.	Rollins.
Fain.	Russell.
Fisher.	Savage.
Ford.	Scott.
Glass.	Steward.
Goodman.	Stovall.
Graves.	Stubbeman.
Harris.	Tarwater.
Hicks.	Tennyson.
Huddleston.	Thomas.
Hunter.	Tillery.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Kyle of Hays.	Walker.
Laird.	Wells.
Lindsey.	Winningham.
Magee.	

Absent

Anderson.	Atchison.
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Burns.	Jones of Atascosa.
Cathey.	Latham.
Celaya.	Lemens.
Clayton.	McCullough.
Colson.	McGregor.
Crossley.	Metcalf.
Dwyer.	Munson.
Harman.	Nicholson.
Hughes.	Ramsey.
Hunt.	Stinson.
Jackson.	Townsend.
James.	Wood.
Johnson of Anderson.	

Absent—Excused

Bedford.	Johnson
Bergman.	of Dimmit.
Harrison.	Lotief.
Head.	McDougald.
Hester.	Shults.
	Turlington.

Question again recurring on the amendment by Mr. Reed of Bowie, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—55

Adamson.	Mitcham.
Aikin.	Moffett.
Alsup.	Morrison.
Beck.	Pavlica.
Bourne.	Puryear.
Burns.	Ratliff.
Butler.	Ray.
Calvert.	Reed of Bowie.
Caven.	Reed of Dallas.
Chastain.	Renfro.
Daniel.	Riddle.
Dean.	Roark.
Fain.	Rollins.
Fisher.	Russell.
Ford.	Savage.
Glass.	Scott.
Goodman.	Steward.
Graves.	Stovall.
Harris.	Stubbeman.
Hicks.	Tarwater.
Huddleston.	Tennyson.
Hunter.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Vaughan.
Kayton.	Walker.
Laird.	Wells.
Lindsey.	Winningham.
Magee.	

Nays—62

Alexander.	Bradley.
Atchison.	Canon.
Baker.	Colson.
Barrett.	Coombes.
Barron.	Cowley.

Davidson.	Mathis.
Devall.	McCullough.
Dunlap.	McKee.
Dunagan.	Merritt.
Duvall.	Metcalf.
Engelhard.	Moore.
Fuchs.	Morse.
Golson.	Munson.
Good.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Pope.
Hartzog.	Ramsey.
Hill.	Reader.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rogers
Holloway.	of Ochiltree.
Hoskins.	Scarborough.
Hyder.	Shannon
James.	Smith.
Jefferson.	Stanfield.
Kyle of Hays.	Van Zandt.
Kyle of Palo Pinto.	Wagstaff.
Leonard.	Weinert.
Long.	Young.
Mackay.	

Absent

Anderson.	Johnson
Camp.	of Anderson.
Cathey.	Jones of Atascosa.
Celaya.	Lange.
Clayton.	Latham.
Crossley.	Lemens.
Dwyer.	McGregor.
Harman.	Nicholson.
Hughes.	Stinson.
Hunt.	Townsend.
Jackson.	Wood.

Absent—Excused

Bedford.	Johnson
Bergman.	of Dimmit.
Harrison.	Lotief.
Head.	McDougald.
Hester.	Shults.
	Turlington.

Mr. Alsup offered the following amendment to the resolution:

Amend the resolution by striking out the words and figures, "five hundred dollars (\$500)," and insert in lieu thereof "one dollar (\$1)."

Mr. Roberts moved to table the amendment.

The motion to table prevailed.

Mr. Reed of Bowie offered the following amendment to the resolution:

Amend the resolution by adding after the word "survey," "said members of committee to be appointed whose district do not touch any gulf waters."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—65

Aikin.	Kyle of Palo Pinto.
Alexander.	Leonard.
Alsup.	Lindsey.
Barron.	Magee.
Beck.	Merritt.
Butler.	Metcalfe.
Calvert.	Mitcham.
Camp.	Moffett.
Caven.	Morrison.
Chastain.	Patterson.
Coombes.	Pavlica.
Cowley.	Puryear.
Dean.	Ratliff.
Dunagan.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Riddle.
Glass.	Roark.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Russell.
Greathouse.	Savage.
Harris.	Scott.
Hicks.	Steward.
Huddleston.	Stovall.
Hunt.	Stubbsman.
Hunter.	Thomas.
James.	Tillery.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Kayton.	Weinert.
Kyle of Hays.	Winningham

Nays—49

Baker.	McCullough.
Barrett.	McKee.
Bourne.	Moore.
Burns.	Morse.
Canon.	Munson.
Davidson.	Nicholson.
Devall.	Palmer.
Dunlap.	Parkhouse.
Duvall.	Pope.
Fuchs.	Ramsey.
Golson.	Reader.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Hartzog.	Rollins.
Hill.	Scarborough.
Hodges.	Shannon.
Holekamp.	Smith.
Holland.	Stanfield.
Holloway.	Stinson.
Hoskins.	Tarwater.
Hyder.	Tennyson.
Jefferson.	Wagstaff.
Long.	Walker.
Mackay.	Young.
Mathis.	

Absent

Adamson.	Jackson.
Anderson.	Johnson
Atchison.	of Anderson.
Bradley.	Jones of Atascosa.
Cathey.	Laird.
Celaya.	Lange.
Clayton.	Latham.
Colson.	Lemens.
Crossley.	McGregor.
Daniel.	Townsend.
Dwyer.	Wells.
Harman.	Wood.
Hughes.	

Absent—Excused

Bedford.	Johnson
Bergman.	of Dimmit.
Harrison.	Lotief.
Head.	McDougald.
Hester.	Shults.
	Turlington.

Question recurring on the resolution, yeas and nays were demanded.

The resolution as amended was adopted by the following vote:

Yeas—64

Alexander.	Johnson
Atchison.	of Anderson.
Baker.	Kayton.
Barrett.	Kyle of Palo Pinto.
Barron.	Lange.
Bradley.	Leonard.
Burns.	Long.
Camp.	Mackay.
Canon.	Mathis.
Celaya.	McCullough.
Coombes.	McKee.
Cowley.	Moore.
Davidson.	Morse.
Devall.	Munson.
Dunlap.	Nicholson.
Dunagan.	Palmer.
Duvall.	Parkhouse.
Engelhard.	Pope.
Fuchs.	Ramsey.
Golson.	Reader.
Graves.	Reed of Dallas.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Hankamer.	Rogers
Hartzog.	of Ochiltree.
Hill.	Scarborough.
Hodges.	Shannon.
Holekamp.	Smith.
Holloway.	Stanfield.
Hoskins.	Tarwater.
Hyder.	Wagstaff.
James.	Weinert.
Jefferson.	Young.

Nays—58

Adamson.	Aikin.
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Alsup.	Mitcham.
Beck.	Moffett.
Bourne.	Morrison.
Butler.	Patterson.
Calvert.	Pavlica.
Caven.	Puryear.
Chastain.	Ratliff.
Daniel.	Ray.
Dean.	Reed of Bowie.
Fain.	Renfro.
Fisher.	Riddle.
Ford.	Roark.
Glass.	Rollins.
Good.	Russell.
Goodman.	Savage.
Harris.	Scott.
Hicks.	Steward.
Holland.	Stinson.
Huddleston.	Stovall.
Hunt.	Stubbeman.
Hunter.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Tillery.
Kyle of Hays.	Van Zandt.
Laird.	Vaughan.
Lindsey.	Walker.
Magee.	Wells.
McGregor.	Winningham.

Absent

Anderson.	Jackson.
Cathey.	Jones of Atascosa.
Clayton.	Latham.
Colson.	Lemens.
Crossley.	Merritt.
Dwyer.	Metcalfe.
Harman.	Townsend.
Hughes.	Wood.

Absent—Excused

Bedford.	Johnson
Bergman.	of Dimmit.
Harrison.	Lotief.
Head.	McDougald.
Hester.	Shults.
	Turlington.

Mr. Jefferson moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 1 WITH SENATE AMENDMENTS

Mr. Long called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1, A bill to be entitled "An Act providing for the issuance of State Relief Bonds to be designated as Texas Relief Bonds, Third Series, in the sum of nine million five hundred thousand dollars (\$9,500,000) under Section 51-a, Article III, of the

Constitution of the State of Texas; providing for the sources of revenue from which said bonds shall be paid and their denominations, date maturities, maximum interest rate, and date of payment of interest, place of payment, exempting same from taxation; providing that said bonds shall be eligible to secure deposits of the State of Texas, that said bonds shall be eligible to secure deposits of the State of Texas, counties, cities, or political subdivisions thereof and public corporations thereof; providing for their approval by the Attorney General, signing by the Governor, attesting by the Secretary of State, and registering by the Comptroller and Treasurer; prescribing the procedure for the sale of the bonds and the disposition of the proceeds thereof; prohibiting borrowing in anticipation of future issuance of bonds; etc., and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

Mr. Long moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

HOUSE BILL NO. 25 ON FINAL PASSAGE

Mr. Pope called up, for consideration at this time, the motion to reconsider the vote by which House Bill No. 25 was passed, which motion to reconsider was heretofore spread on the Journal;

Due notice having been given that same would be called up today.

Question recurring on the motion to reconsider the vote by which House Bill No. 25 was passed, it prevailed."

House Bill No. 25 was then passed by the following vote:

Yeas—103

Aikin.	Canon.
Alexander.	Celaya.
Alsup.	Chastain.
Atchison.	Coombes.
Baker.	Cowley.
Barrett.	Daniel.
Beck.	Davidson.
Bergman.	Dunagan.
Bourne.	Duvall.
Bradley.	Engelhard.
Burns.	Fain.
Calvert.	Fisher.

Ford.	Morrison.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Patterson.
Good.	Pavlica.
Goodman.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Harris.	Ratliff.
Hicks.	Ray.
Hodges.	Reader.
Holekamp.	Reed of Bowie.
Holland.	Renfro.
Holloway.	Riddle.
Hoskins.	Roark.
Huddleston.	Roberts.
Hunt.	Rogers of Hunt.
Hunter.	Rogers
Hyder.	of Ochiltree.
James.	Rollins.
Jefferson.	Russell.
Jones of Atascosa.	Scarborough.
Jones of Runnels.	Scott.
Jones of Shelby.	Shannon.
Kayton.	Smith.
Kyle of Hays.	Stanfield.
Kyle of Palo Pinto.	Steward.
Laird.	Stovall.
Lange.	Stubbeman.
Leonard.	Tarwater.
Lindsey.	Tennyson.
Long.	Thomas.
Mackay.	Tillery.
Magee.	Vaughan.
Mathis.	Wagstaff.
McCullough.	Walker.
McGregor.	Weinert.
McKee.	Wells.
Merritt.	Winningham.
Moffett.	Young.

Nays—24

Adamson.	Johnson
Barron.	of Anderson.
Butler.	Mitcham.
Camp.	Moore.
Caven.	Morse.
Clayton.	Munson.
Devall.	Parkhouse.
Graves.	Reed of Dallas.
Hankamer.	Savage.
Harman.	Stinson.
Hill.	Townsend.
Hughes.	Van Zandt.
Jackson.	

Absent

Anderson.	Dwyer.
Cathey.	Hartzog.
Colson.	Latham.
Crossley.	Lemens.
Dean.	Metcalf.
Dunlap.	Wood.

Absent—Excused

Bedford.	Head.
Harrison.	Hester.

Johnson	McDougald.
of Dimmit.	Shults.
Lotief.	Turlington.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, September 17, 1934.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed the following:

S. B. No. 3, A bill to be entitled
"An Act creating Colorado River
Authority, a governmental agency,
body politic and corporate, as a
water control and conservation dis-
trict under Section 59, of Article XVI,
of the Constitution; etc., and declar-
ing an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 34 ON SECOND
READING

On motion of Mr. Kayton, the reg-
ular order of business was suspended
to take up and have placed on its
second reading and passage to en-
grossment,

H. B. No. 34, A bill to be entitled
"An Act making appropriation for
the continuation of malaria control
by the State Board of Health, and
declaring an emergency."

The Speaker laid the bill before the
House; it was read second time, and
was passed to engrossment by the
following vote:

Yeas—93

Alexander.	Ford.
Alsup.	Fuchs.
Atchison.	Glass.
Baker.	Goodman.
Barrett.	Greathouse.
Beck.	Griffith.
Bergman.	Hankamer.
Bourne.	Harman.
Bradley.	Harris.
Burns.	Hartzog.
Butler.	Hicks.
Calvert.	Hill.
Canon.	Hodges.
Caven.	Holekamp.
Chastain.	Huddleston.
Cowley.	Hughes.
Crossley.	Jackson.
Daniel.	James.
Dunagan.	Jefferson.
Engelhard.	Johnson
Fisher.	of Anderson.

Jones of Atascosa.	Reader.
Jones of Runnels.	Reed of Dallas.
Kayton.	Renfro.
Kyle of Hays.	Riddle.
Lange.	Roark.
Leonard.	Roberts.
Lindsey.	Rogers
Mackay.	of Ochiltree.
Magee.	Russell.
Mathis.	Savage.
McGregor.	Scarborough.
Merritt.	Smith.
Metcalfe.	Stanfield.
Mitcham.	Steward.
Moffett.	Stinson.
Moore.	Stovall.
Morrison.	Stubbeman.
Morse.	Tarwater.
Munson.	Tennyson.
Nicholson.	Thomas.
Palmer.	Tillery.
Parkhouse.	Townsend.
Patterson.	Wagstaff.
Pavlica.	Wells.
Ramsey.	Winningham.
Ratliff.	Young.
Ray.	

Nays—18

Adamson.	Kyle of Palo Pinto.
Aikin.	Puryear.
Coombes.	Reed of Bowie.
Davidson.	Rogers of Hunt.
Dean.	Rollins.
Fain.	Scott.
Graves.	Van Zandt.
Hunt.	Vaughan.
Hyder.	Walker.

Absent

Anderson.	Holloway.
Barron.	Hoskins.
Camp.	Hunter.
Cathey.	Jones of Shelby.
Celaya.	Laird.
Clayton.	Latham.
Colson.	Lemeis.
Devall.	Long.
Dunlap.	McCullough.
Duvall.	McKee.
Dwyer.	Pope.
Golson.	Shannon.
Good.	Weinert.
Holland.	Wood.

Absent—Excused

Bedford.	Lotief.
Harrison.	McDougald.
Head.	Shults.
Hester.	Turlington.
Johnson	
of Dimmit.	

HOUSE BILL NO. 34 ON THIRD READING

Mr. Kayton moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 34 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96

Alexander.	Lange.
Alsup.	Leonard.
Atchison.	Lindsey.
Baker.	Magee.
Barrett.	Mathis.
Barron.	McGregor.
Beck.	McKee.
Bergman.	Merritt.
Bourne.	Metcalfe.
Bradley.	Mitcham.
Burns.	Moffett.
Butler.	Moore.
Calvert.	Morrison.
Camp.	Morse.
Caven.	Munson.
Celaya.	Nicholson.
Chastain.	Parkhouse.
Clayton.	Patterson.
Coombes.	Pavlica.
Cowley.	Ramsey.
Crossley.	Ratliff.
Daniel.	Ray.
Devall.	Reader.
Dunagan.	Reed of Dallas.
Duvall.	Renfro.
Engelhard	Riddle.
Fisher.	Roark.
Ford.	Roberts.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Russell.
Greathouse.	Savage.
Griffith.	Scarborough.
Hankamer.	Scott.
Harris.	Smith.
Hartzog.	Steward.
Hicks.	Stinson.
Hill.	Stovall.
Holekamp.	Stubbeman.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
James.	Thomas.
Jefferson.	Tillery.
Johnson	Townsend.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Wells.
Kayton.	Winningham.
Kyle of Hays.	Young.

Nays—14

Adamson.	Hyder.
Aikin.	Kyle of Palo Pinto.
Canon.	Reed of Bowie.
Davidson.	Rogers of Hunt.
Fain.	Rollins.
Graves.	Van Zandt.
Hunt.	Vaughan.

Present—Not Voting

Palmer.

Absent

Anderson.	Jackson.
Cathey.	Jones of Shelby.
Colson.	Laird.
Dean.	Latham.
Dunlap.	Lemens.
Dwyer.	Long.
Good.	Mackay.
Goodman.	McCullough.
Harman.	Pope.
Hodges.	Puryear.
Holland.	Shannon.
Holloway.	Stanfield.
Hughes.	Weinert.
Hunter.	Wood.

Absent—Excused

Bedford.	Lotief.
Harrison.	McDougald.
Head.	Shults.
Hester.	Turlington.
Johnson of Dimmit.	

The Chair then laid House Bill No. 34 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—94

Alexander.	Harman.
Alsup.	Harris.
Atchison.	Hartzog.
Baker.	Hicks.
Barrett.	Hill.
Barron.	Holekamp.
Beck.	Hoskins.
Bergman.	Huddleston.
Bourne.	Hughes.
Bradley.	Jackson.
Burns.	James.
Butler.	Jefferson.
Calvert.	Jones of Atascosa.
Camp.	Jones of Runnels.
Caven.	Kayton.
Celaya.	Kyle of Hays.
Chastain.	Lange.
Clayton.	Leonard.
Cowley.	Lindsey.
Davidson.	Mackay.
Devall.	Magee.
Dunlap.	McKee.
Dunagan.	Merritt.
Duvall.	Metcalfe.
Engelhard.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Griffith.	Munson.
Hankamer.	Nicholson.

Parkhouse.	Scott.
Patterson.	Shannon.
Pavlica.	Smith.
Ramsey.	Steward.
Ratliff.	Stinson.
Ray.	Stovall.
Reader.	Stubbeman.
Reed of Dallas.	Tarwater.
Renfro.	Tennyson.
Riddle.	Thomas.
Roark.	Tillery.
Roberts.	Townsend.
Rogers of Ochiltree.	Wagstaff.
Russell.	Wells.
Savage.	Winningham.
Scarborough.	Young.

Nays—20

Adamson.	Hyder.
Aikin.	Kyle of Palo Pinto.
Canon.	Palmer.
Coombes.	Puryear.
Fain.	Reed of Bowie.
Fisher.	Rogers of Hunt.
Good.	Rollins.
Hodges.	Van Zandt.
Hunt.	Vaughan.
Hunter.	Walker.

Absent

Anderson.	Jones of Shelby.
Cathey.	Laird.
Colson.	Latham.
Crossley.	Lemens.
Daniel.	Long.
Dean.	Mathis.
Dwyer.	McCullough.
Goodman.	McGregor.
Graves.	Pope.
Greathouse.	Stanfield.
Holland.	Weinert.
Holloway.	Wood.
Johnson of Anderson.	

Absent—Excused

Bedford.	Johnson
Harrison.	of Dimmit.
Head.	Lotief.
Hester.	McDougald.
	Shults.
	Turlington.

MOTION TO TAKE UP HOUSE
BILL NO. 50

Mr. Bradley moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 50, A bill to be entitled "An Act amending Chapter 19, House Bill No. 88, Acts of the Second Called Session of the Forty-third Legislature,

declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors, and processors of milk and milk products; defining certain terms used in the bill; providing for application to the Commissioner of Agriculture by groups engaged in the milk industry in counties having a population in excess of 350,000; etc., and declaring an emergency."

Mr. Aikin and Mr. Moffett raised the point of order that the printed bill had not been on the Members desk for 24 hours in accordance with the Rules of the House and is therefore not in order at this time.

The Chair sustained the point of order.

HOUSE BILL NO. 16 ON SECOND READING

On motion of Mr. Russell, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 16, A bill to be entitled "An Act making an emergency appropriation of money for the State Department of Agriculture; providing for the purposes thereof, and manner of expenditure, and declaring an emergency."

The Chair laid the bill before the House; it was read second time, and was passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 16

Mr. Russell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 16 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—80

Alexander.	Butler.
Atchison.	Camp.
Baker.	Celaya.
Bourne.	Clayton.
Bradley.	Coombes.
Burns.	Cowley.

Daniel.	McKee.
Dunlap.	Metcalfe.
Dunagan.	Moffett.
Duvall.	Moore.
Engelhard.	Morse.
Fain.	Munson.
Ford.	Nicholson.
Fuchs.	Palmer.
Glass.	Patterson.
Golson.	Ramsey.
Good.	Ratliff.
Greathouse.	Ray.
Griffith.	Reader.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Hill.	Riddle.
Holekamp.	Roark.
Holloway.	Roberts.
Hughes.	Rogers
Hyder.	of Ochiltree.
Jackson.	Russell.
James.	Savage.
Jefferson.	Scarborough.
Jones of Atascosa.	Scott.
Jones of Shelby.	Smith.
Kayton.	Stanfield.
Kyle of Hays.	Steward.
Kyle of Palo Pinto.	Stubbeman.
Lange.	Tarwater.
Latham.	Thomas.
Leonard.	Townsend.
Long.	Wagstaff.
Mackay.	Walker.
Magee.	Young.
Mathis.	

Nays—36

Adamson.	Hunt.
Aikin.	Hunter.
Alsup.	Jones of Runnels.
Barrett.	Lindsey.
Barron.	Merritt.
Bergman.	Mitcham.
Canon.	Parkhouse.
Chastain.	Pavlica.
Crossley.	Puryear.
Davidson.	Reed of Bowie.
Devall.	Rogers of Hunt.
Fisher.	Rollins.
Goodman.	Stinson.
Graves.	Stovall.
Harris.	Tillery.
Hicks.	Van Zandt.
Hoskins.	Vaughan.
Huddleston.	Winningham.

Absent

Anderson.	Hodges.
Beck.	Holland.
Calvert.	Johnson
Cathey.	of Anderson.
Caven.	Laird.
Colson.	Lemens.
Dean.	McCullough.
Dwyer.	McGregor.
Hartzog.	Morrison.

Pope.
Shannon.
Tennyson.

Weinert.
Wells.
Wood.

Absent—Excused

Bedford.
Harrison.
Head.
Hester.
Johnson
of Dimmit.

Lotief.
McDougald.
Shults.
Turlington.

HOUSE BILL NO. 32 ON SECOND READING

Mr. Tarwater moved that the regular order of business be suspended, to take up and have placed on its second reading and passage to engrossment.

H. B. No. 32, A bill to be entitled "An Act defining 'oleomargarine' and other terms used in this Act; imposing a tax of ten cents per pound on certain oleomargarine, prescribing the method for collecting said tax; providing for the keeping and furnishing of records, certificates, and reports; providing and regulating the manner of shipment and delivery of oleomargarine; fixing liability for taxes; etc., and declaring an emergency."

Mr. Aikin raised the point of order on further consideration of the motion and the bill at this time, on the ground that the printed bill, as reported by the committee, has not been on the Members' desks the required number of hours, in accordance with the Rule of the House.

The Chair overruled the point of order.

Mr. Hankamer raised a point of order on further consideration of the bill at this time, on the ground that the subject matter contained in the bill was only submitted by the Governor today, and that the bill has therefore not gone through the regular routine of bills, and is not in order at this time.

The Chair overruled the point of order.

Question then recurring on the motion by Mr. Tarwater, that the bill be taken up at this time, it prevailed.

The Chair laid the bill before the House, and it was read second time.

Mr. Camp raised the following point of order:

Mr. Speaker, I raise the following point of order against House Bill No. 32:

That the same has not been considered by a committee since it was

submitted by the Governor, and that any committee hearing and report previous to this was without authority, and the constitutional procedure on consideration of proposed legislation was wholly ignored and disregarded.

CAMP, PARKHOUSE.

The Chair overruled the point of order.

House Bill No. 32 was then passed to engrossment.

HOUSE BILL NO. 32 ON THIRD READING

Mr. Tarwater moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95

Adamson.
Alexander.
Alsup.
Atchison.
Baker.
Barrett.
Barron.
Bergman.
Bourne.
Burns.
Butler.
Canon.
Clayton.
Coombes.
Cowley.
Crossley.
Davidson.
Dean.
Devall.
Dunlap.
Engelhard.
Fain.
Fisher.
Ford.
Fuchs.
Glass.
Golson.
Graves.
Greathouse.
Griffith.
Harman.
Harris.
Hartzog.
Hill.
Hodges.
Holekamp.
Hoskins.
Huddleston.
Hunt.

Hunter.
Hyder.
James.
Johnson
of Dimmit.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kyle of Palo Pinto.
Laird.
Lemens.
Leonard.
Lindsey.
Long.
Mackay.
Magee.
Mathis.
Merritt.
Metcalf.
Mitcham.
Moffett.
Moore.
Morrison.
Morse.
Palmer.
Patterson.
Pavlica.
Pope.
Ratliff.
Ray.
Reed of Bowie.
Renfro.
Riddle.
Roark.
Roberts.
Rogers of Hunt
Rogers
of Ochiltree.
Rollins.

Savage.	Thomas.
Scarborough.	Tillery.
Scott.	Townsend.
Shannon.	Van Zandt.
Shults.	Vaughan.
Stanfield.	Walker.
Steward.	Wells.
Stinson.	Winningham.
Stovall.	Young.
Tarwater.	

Nays—19

Aikin.	Kayton.
Camp.	McKee.
Caven.	Munson.
Chastain.	Nicholson.
Dunagan.	Parkhouse.
Good.	Puryear.
Goodman.	Reed of Dallas.
Hankamer.	Stubbeman.
Hughes.	Wagstaff.
Jackson.	

Present—Not Voting

Beck.	Calvert.
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Absent

Anderson.	Kyle of Hays.
Bradley.	Lange.
Cathey.	Latham.
Celaya.	McCullough.
Colson.	McGregor.
Daniel.	Ramsey.
Duvall.	Reader.
Dwyer.	Russell.
Hicks.	Smith.
Holland.	Tennyson.
Holloway.	Weinert.
Jefferson.	Wood.

Absent—Excused

Bedford.	Johnson
Harrison.	of Anderson.
Head.	Lotief.
Hester.	McDougald.
	Turlington.

The Chair then laid House Bill No. 32 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—94

Adamson.	Butler.
Alexander.	Calvert.
Alsup.	Canon.
Atchison.	Caven.
Baker.	Chastain.
Barrett.	Clayton.
Barron.	Coombes.
Bergman.	Crossley.
Bourne.	Daniel.
Burns.	Davidson.

Dean.	Mackay.
Devall.	Magee.
Dunlap.	Merritt.
Engelhard.	Metcalfe.
Fain.	Mitcham.
Fisher.	Moffett.
Ford.	Morrison.
Fuchs.	Patterson.
Glass.	Pavlica.
Golson.	Pope.
Graves.	Puryear.
Greathouse.	Ramsey.
Griffith.	Ratliff.
Harman.	Ray.
Harris.	Reed of Bowie.
Hartzog.	Renfro.
Hill.	Riddle.
Hodges.	Roark.
Holekamp.	Roberts.
Hoskins.	Rogers
Huddleston.	of Ochiltree.
Hunt.	Rollins.
Hunter.	Savage.
Hyder.	Scarborough.
James.	Scott.
Johnson	Shults.
of Anderson.	Stanfield.
Jones of Atascosa.	Stinson.
Jones of Runnels.	Stovall.
Jones of Shelby.	Tarwater.
Kayton.	Thomas.
Kyle of Hays.	Tillery.
Kyle of Palo Pinto.	Townsend.
Laird.	Van Zandt.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lindsey.	Walker.
Long.	Wells.

Nays—17

Aikin.	Nicholson.
Camp.	Palmer.
Dunagan.	Reed of Dallas.
Good.	Rogers of Hunt.
Goodman.	Shannon.
Hankamer.	Steward.
Hughes.	Stubbeman.
Jackson.	Winningham.
Munson.	

Absent

Anderson.	Mathis.
Beck.	McCullough.
Bradley.	McGregor.
Cathey.	McKee.
Celaya.	Moore.
Colson.	Morse.
Cowley.	Parkhouse.
Duvall.	Reader.
Dwyer.	Russell.
Hicks.	Smith.
Holland.	Tennyson.
Holloway.	Weinert.
Jefferson.	Wood.
Lange.	Young.
Latham.	

Absent—Excused

Bedford.	Johnson
Harrison.	of Dimmit.
Head.	Lotief.
Hester.	McDougald.
	Turlington.

Mr. Patterson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE

I voted against House Bill No. 32 for the reason that the constitutional procedure for the consideration of bills was not followed, and think the procedure followed on this bill sets a dangerous precedent.

CAMP.

I vote "no" on House Bill No. 32 for the reason that no committee action had been taken on the bill in the manner provided for by the Constitution.

PARKHOUSE.

(Speaker in the Chair.)

HOUSE BILL NO. 4 ON SECOND READING

On motion of Mr. Coombes, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment.

H. B. No. 4, A bill to be entitled "An Act making an appropriation to pay judgments of the district and county courts refunding to the heirs, devisees, legates, or legal representatives of deceased persons, whose estates have escheated to the State, such sums of money belonging to such escheated estates as have been paid into the Public Treasury; authorizing the payment of such claims on the taking effect of this Act and the filing with the Comptroller of a copy of the order of the court under the seal of the court."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

HOUSE BILL NO. 65 ON SECOND READING

On motion of Mr. Davidson (by unanimous consent), the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment.

H. B. No. 65, A bill to be entitled "An Act making it unlawful to kill wild fox, or to take or have in one's possession for barter or sale the pelts of wild fox in certain counties, providing a penalty for violation of this Act; and declaring an emergency."

Mr. Davidson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 65 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson.	Jackson.
Aikin.	James.
Alexander.	Johnson
Alsup.	of Anderson.
Atchison.	Jones of Atascosa.
Baker.	Jones of Runnels.
Barrett.	Jones of Shelby.
Barron.	Kayton.
Beck.	Kyle of Hays.
Bergman.	Kyle of Palo Pinto.
Bourne.	Laird.
Bradley.	Lemens.
Burns.	Leonard.
Butler.	Lindsey.
Calvert.	Mackay.
Camp.	Magee.
Canon.	Mathis.
Caven.	McCullough.
Chastain.	McKee.
Clayton.	Merritt.
Coombes.	Metcalfe.
Daniel.	Mitcham.
Davidson.	Moffett.
Dean.	Moore.
Devall.	Morrison.
Dunlap.	Morse.
Dunagan.	Munson.
Engelhard.	Nicholson.
Fain.	Palmer.
Fisher.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pavlica.
Glass.	Puryear.
Golson.	Ratliff.
Good.	Ray.
Griffith.	Reed of Bowie.
Harman.	Reed of Dallas.
Harris.	Renfro.
Hill.	Riddle.
Hodges.	Roark.
Holekamp.	Roberts.
Holland.	Rogers of Hunt.
Hoskins.	Rogers
Huddleston.	of Ochiltree.
Hughes.	Rollins.
Hunter.	Russell.
Hyder.	Savage.

Scarborough.
Scott.
Shannon.
Shults.
Stanfield.
Steward.
Stovall.
Stubbeman.
Tarwater.
Thomas.

Tillery.
Townsend.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Wells.
Winningham.
Young.

Absent

Anderson.	Hunt.
Cathey.	Jefferson.
Celaya.	Lange.
Colson.	Latham.
Cowley.	Long.
Crossley.	McGregor.
Duvall.	Pope.
Dwyer.	Ramsey.
Goodman.	Reader.
Graves.	Smith.
Greathouse.	Stinson.
Hankamer.	Tennyson.
Hartzog.	Weinert.
Hicks.	Wood.
Holloway.	

Absent—Excused

Bedford.	Johnson
Harrison.	of Dimmit.
Head.	Lotief.
Hester.	McDougald.
	Turlington.

The Speaker then laid House Bill No. 65 before the House on its second reading and passage to engrossment.

The bill was read second time.

Mr. Winningham offered the following amendment to the bill:

Amend House Bill No. 65, to include Limestone and Burleson Counties.

WINNINGHAM,
JAMES.

The amendment was adopted.

Mr. Moore asked unanimous consent of the House to have Kaufman County added to the provisions of the bill.

There was objection offered.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 65 was then passed to engrossment.

HOUSE BILL NO. 65 ON THIRD READING

The Speaker then laid House Bill No. 65 before the House on its third reading and final passage.

The bill was read third time.

Mr. Kyle of Palo Pinto offered the following amendment to the bill:

Amend House Bill No. 65, by adding Ellis, Palo Pinto, Leon, and Madison Counties.

KYLE of Palo Pinto,
STOVALL,
PALMER.

The amendment was adopted.

House Bill No. 65 was then passed by the following vote:

Yeas—106

Adamson.	Kyle of Palo Pinto.
Aikin.	Lemens.
Alsup.	Leonard.
Baker.	Lindsey.
Barrett.	Long.
Barron.	Mackay.
Beck.	Magee.
Bergman.	McGregor.
Bourne.	McKee.
Bradley.	Metcalf.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Camp.	Morrison.
Canon.	Morse.
Chastain.	Munson.
Clayton.	Nicholson.
Coombes.	Palmer.
Daniel.	Parkhouse.
Davidson.	Pavlica.
Dean.	Pope.
Devall.	Puryear.
Dunagan.	Ratliff.
Engelhard.	Ray.
Fain.	Reader.
Fisher.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roark.
Good.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rollins.
Hankamer.	Russell.
Harman.	Savage.
Harris.	Scarborough.
Hartzog.	Scott.
Hill.	Shannon.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stovall.
Hoskins.	Stubbeman.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hunter.	Tillery.
Hyder.	Townsend.
Jackson.	Van Zandt.
James.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kayton.	Winningham.
Kyle of Hays.	Young.

Absent

Alexander.	Johnson
Anderson.	of Anderson.
Atchison.	Laird.
Cathey.	Lange.
Caven.	Latham.
Celaya.	Mathis.
Colson.	McCullough.
Cowley.	Merritt.
Crossley.	Patterson.
Dunlap.	Ramsey.
Duvall.	Rogers
Dwyer.	of Ochiltree.
Goodman.	Shults.
Graves.	Smith.
Hicks.	Stinson.
Holloway.	Tarwater.
Hunt.	Weinert.
Jefferson.	Wood.

Absent—Excused

Bedford.	Johnson
Harrison.	of Dimmit.
Head.	Lotief.
Hester.	McDougald.
	Turlington.

BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Mathis, House Bills Nos. 11 and 35, and Senate Bill No. 13, were ordered not printed.

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, September 17, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed

S. B. No. 10, A bill to be entitled "An Act validating all concurrent resolutions adopted at previous sessions of the Legislature granting to persons, firms, or corporations, permission to sue the State of Texas to any of its courts upon claims against the State, providing that same shall be effective, both as to suits already filed and pending, and as to suits hereafter filed by authority of said concurrent resolution, providing that nothing therein shall operate to create any cause of action against the State, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 12 ON SECOND READING

On motion of Mr. Moffett, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment.

H. B. No. 12, A bill to be entitled "An Act to extend the time for the payment of notes or obligations executed prior to November 1, 1901, by purchasers of school land for the unpaid balance of principal due the State thereon, such extensions to be for a period of ten years from and after the passage of this Act; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 12, by striking out "ten years" and substituting in lieu thereof, "five years."

Mr. Lindsey moved to table the amendment.

The motion to table prevailed.

House Bill No. 12 was then passed to engrossment.

HOUSE BILL NO. 12 ON THIRD READING

Mr. Moffett moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adamson.	Cowley.
Aikin.	Daniel.
Alexander.	Davidson.
Alsup.	Dean.
Atchison.	Devall.
Baker.	Dunlap.
Barrett.	Dunagan.
Beck.	Duvall.
Bourne.	Engelhard.
Bradley.	Fain.
Calvert.	Fisher.
Camp.	Ford.
Canon.	Fuchs.
Caven.	Glass.
Celaya.	Golson.
Chastain.	Good.
Clayton.	Goodman.
Colson.	Graves.
Coombes.	Greathouse.

Griffith.	Parkhouse.
Hankamer.	Patterson.
Harman.	Pavlica.
Harris.	Pope.
Hodges.	Puryear.
Holekamp.	Ratliff.
Hughes.	Ray.
Hunt.	Reader.
Hunter.	Reed of Bowie.
Hyder.	Reed of Dallas.
Jackson.	Renfro.
James.	Riddle.
Johnson	Roark.
of Anderson.	Roberts.
Jones of Atascosa.	Rogers of Hunt.
Jones of Runnels.	Rogers
Jones of Shelby.	of Ochiltree.
Kyle of Hays.	Rollins.
Kyle of Palo Pinto.	Russell.
Laird.	Savage.
Latham.	Scarborough.
Lemens.	Scott.
Leonard.	Shannon.
Lindsey.	Stanfield.
Magee.	Steward.
McCullough.	Stinson.
McKee.	Stovall.
Merritt.	Stubbeman.
Metcalfe.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Townsend.
Morrison.	Van Zandt.
Morse.	Wagstaff.
Munson.	Walker.
Nicholson.	Winningham.
Palmer.	Young.

Nays—5

Barron.	Hoskins.
Burns.	Vaughan.
Butler.	

Absent

Anderson.	Lange.
Bergman.	Long.
Cathey.	Mackay.
Crossley.	Mathis.
Dwyer.	McGregor.
Hartzog.	Ramsey.
Hicks.	Shults.
Hill.	Smith.
Holland.	Tillery.
Holloway.	Weinert.
Huddleston.	Wells.
Jefferson.	Wood.
Kayton.	

Absent—Excused

Bedford.	Johnson
Harrison.	of Dimmit.
Head.	Lotief.
Hester.	McDougald.
	Turlington.

No. 12 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—111

Adamson.	Laird.
Aikin.	Latham.
Alexander.	Lemens.
Atchison.	Leonard.
Baker.	Lindsey.
Barrett.	Long.
Beck.	Mackay.
Bourne.	Magee.
Bradley.	McCullough.
Calvert.	McKee.
Camp.	Merritt.
Caven.	Metcalfe.
Celaya.	Mitcham.
Chastain.	Moffett.
Clayton.	Moore.
Colson.	Morrison.
Coombes.	Morse.
Cowley.	Munson.
Daniel.	Nicholson.
Davidson.	Palmer.
Dean.	Parkhouse.
Devall.	Patterson.
Dunlap.	Pavlica.
Dunagan.	Pope.
Duvall.	Puryear.
Engelhard.	Ratliff.
Fain.	Ray.
Fisher.	Reader.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Good.	Roark.
Goodman.	Roberts.
Graves.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Russell.
Harris.	Savage.
Hill.	Scarborough.
Hodges.	Scott.
Holekamp.	Shannon.
Holland.	Stanfield.
Huddleston.	Steward.
Hughes.	Stinson.
Hunt.	Stovall.
Hyder.	Stubbeman.
Jackson.	Tarwater.
James.	Tennyson.
Johnson	Thomas.
of Anderson.	Townsend.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

Nays—11

Alsup.	Barron.
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The Speaker then laid House Bill

Burns.	Kayton.
Butler.	Tillery.
Canon.	Vaughan.
Hoskins.	Winningham.
Hunter.	

Absent

Anderson.	Lange.
Bergman.	Mathis.
Cathey.	McGregor.
Crossley.	Ramsey.
Dwyer.	Shults.
Hartzog.	Smith.
Hicks.	Weinert.
Holloway.	Wells.
Jefferson.	Wood.

Absent—Excused

Bedford.	Johnson
Harrison.	of Dimmit.
Head.	Lotief.
Hester.	McDougald.
	Turlington.

SENATE BILLS ON FIRST
READING

The following Senate bills received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 10, to the Committee on State Affairs.

Senate Bill No. 3, to the Committee on Conservation and Reclamation.

ADJOURNMENT

Mr. Fuchs moved that the House recess to 10 o'clock a. m., tomorrow.

Mr. Scarborough moved that the House adjourn until 10 o'clock a. m., tomorrow.

The motion of Mr. Scarborough prevailed, and the House accordingly at 5:20 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Agriculture: House Bills Nos. 50 and 56.

Appropriations: House Bill No. 51; Senate Bill No. 12.

REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS

Committee Room,
Austin, Texas, September 15, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 49, A bill to be entitled "An Act making an appropriation for the salary of either a special investigator, or an assistant district attorney for the Forty-ninth Judicial District of Texas, said appropriation to be in lieu of that made by the Regular Session of the Forty-third Legislature for an assistant district attorney for said district, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, September 15, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 25, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before August 1, 1934, due the State, any county, city, school district, road district, levee improvement district, water improvement district, irrigation district and other defined subdivisions of the State, provided same are paid on or before February 1, 1935; providing said taxes are paid after February 1, 1935, and on or before April 1, 1935, with an addition of two per cent (2%) penalty on said taxes; providing said taxes are paid after April 1, 1935, and on or before June 1, 1935, with an addition of three per cent (3%) penalty on said taxes; providing that said taxes are paid after June 1, 1935, and on or before August 1, 1935, with an addition of four per cent (4%) penalty on said taxes; providing said taxes are paid after August 1, 1935, and on or before November 1, 1935, with an addition of six per cent (6%) penalty on said taxes; providing the penalties prescribed herein shall not be cumulative; providing that all costs that have accrued or may hereafter accrue on said poll or ad valorem taxes on which the in-

terest and penalties have been released by this Act are hereby released and no such costs shall hereafter be charged; providing that anyone desiring to pay at one time all delinquent taxes for any one year on the same property may so pay without paying other delinquent taxes on the same; providing anyone owing delinquent taxes may at any time pay one-fourth of such taxes by paying the penalty on such one-fourth; providing that all laws in conflict with this Act are expressly suspended during the term of this Act; providing that if any section, clause, sentence, paragraph or part of the Act be adjudged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Act; stating the policy of the Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, September 17, 1934.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 34, A bill to be entitled
"An Act making appropriation for the continuation of malaria control by the State Board of Health, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

Hyder, Vice-Chairman.

SEVENTEENTH DAY

(Tuesday, September 18, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Bergman.
Adamson.	Bourne.
Aikin.	Bradley.
Alexander.	Burns.
Alsup.	Butler.
Atchison.	Calvert.
Baker.	Camp.
Barrett.	Canon.
Barron.	Cathey.
Beck.	Caven.

Celaya.	Lotief.
Chastain.	Mackay.
Clayton.	Magee.
Colson.	Mathis.
Coombes.	McCullough.
Cowley.	McGregor.
Crossley.	McKee.
Daniel.	Merritt.
Davidson.	Metcalf.
Dean.	Mitcham.
Devall.	Moffett.
Dunlap.	Moore.
Dunagan.	Morrison.
Duvall.	Morse.
Dwyer.	Munson.
Engelhard.	Nicholson.
Fain.	Palmer.
Fisher.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pavlica.
Glass.	Pope.
Golson.	Purveyer.
Good.	Ramsey.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reader.
Griffith.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Riddle.
Harrison.	Roark.
Hartzog.	Roberts.
Head.	Rogers of Hunt.
Hicks.	Rogers
Hill.	of Ochiltree.
Hodges.	Rollins.
Holekamp.	Russell.
Holland.	Savage.
Holloway.	Scarborough.
Hoskins.	Scott.
Huddleston.	Shannon.
Hughes.	Shults.
Hunt.	Smith.
Hunter.	Stanfield.
Hyder.	Steward.
Jackson.	Stinson.
James.	Stovall.
Jefferson.	Stubbeman.
Johnson	Tarwater.
of Anderson.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Townsend.
Kayton.	Turlington.
Kyle of Hays.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Latham.	Walker.
Lemens.	Wells.
Leonard.	Winningham.
Lindsey.	Wood.
Long.	Young.
	Absent
Anderson.	Weinert.
Lange.	